



As a result, Defendant's argument that "BancGroup did not employ fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year..." is invalid and Plaintiff considers this just cause why the Defendant's Motion should not be granted. Furthermore, Defendant's Motion makes reference to an "Affidavit of Tara Gibson" as attached Exhibit 1 which was not attached and has not been reviewed by the pro se plaintiff by virtue of its omission. Therefore, Plaintiff has relied on published information available to the general public that was filed with the SEC (Securities and Exchange Commission) by the Defendant to determine compliance with the definition of employer according to Title VII of the Civil Rights Act of 1964.

WHEREFORE, PREMISES CONSIDERED Plaintiff Susan H. Guy respectfully requests that this Court deny Defendant's Motion to dismiss.

Done this 8<sup>th</sup> day of May, 2006.

Susan H. Guy  
Signature of Plaintiff Susan H. Guy

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